



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,944	08/09/2001	Fraser R. Ingram	10782.00	5806
26889	7590	06/12/2007		
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			EXAMINER HAVAN, THU THAO	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 06/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/925,944

Applicant(s)

INGRAM ET AL.

Examiner

Thu Thao Havan

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/20/07.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 32 and 35 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12, 32, and 35 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Claims 1-12, 32, and 35 are pending. This action is in response to the amendment received March 20, 2007.

Response to Arguments

The rejection of claims 1-12, 32, and 35 under 35 U.S.C. 103(a) as being unpatentable by Antonin et al (US 2002/0138446) and Shooks et al. (US 2002/0019781).is maintained.

Upon a closer examination, Applicant's arguments filed March 20, 2007 have been fully considered but they are not persuasive.

In response to the arguments concerning the previously rejected claims the following comments are made:

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant alleges that the prior art made of record fails to teach reformatting, at the one or more remote servers, said transaction data into a first format that enables the transaction data to be utilized by a server located on a communications network and reformatting, at the one or more remote servers, said merchant data into a second format

Art Unit: 3691

that enables the merchant data to be utilized by the ATM. The examiner disagrees with applicant's representative since Antonin teaches reformatting, at the one or more remote servers, said transaction data into a first format that enables the transaction data to be utilized by a server located on a communications network (para. 0006, 0040, 0046, 0053, 0094, 0114, and 0128) and reformatting, at the one or more remote servers, said merchant data into a second format that enables the merchant data to be utilized by the ATM (para. 0053, 0094, 0114, and 0128). Antonin discloses the transaction verification module may include certificates, identifiers, or other security elements associated with the protocols for accessing the functional modules. For example, a protocol handler in the core application may include logic for authenticating the source and format of communications from another system, such as a switch system. Thus, reformatting is done by the transaction verification module.

In addition, Applicant alleges that the prior art made of record fails to teach a global communications network in relation to an ATM and vendor. The examiner disagrees with applicant's representative since Shooks teaches an internet system including a global communications network (para. 0002, 0030, 0064, 0069, and 0070). Shooks discloses the cardholder may load the Internet card over the telephone, ATM or via the Internet. He discloses the cardholder may reload the Internet card via an ATM, PDA or Internet website. The cardholder may input the Internet card into the appropriate port of the ATM, PDA or PC, or alternatively, may manually enter the Internet account number via a keyboard. When suitably prompted, the cardholder may then input the additional monetary amount to be added to the card. The ATM, PDA or PC transmits a request for

authorization to reload the card, which request is accompanied by the Internet account number and additional monetary amount, to the card provider system.

With regards to the claims rejected as taught by Antonin and Shooks, the examiner would like to point out that the reference teaches the claimed limitations and thus provides adequate support for the claimed limitations. Therefore, the examiner maintains that Antonin and Shooks taught the claimed limitations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-12, 32, and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Antonin et al (US 2002/0138446) in view of Shooks et al. (US 2002/0019781).

Re claims **1, 32, and 35**, Antonin teaches a method/system/a machine-readable medium that includes instructions of facilitating an electronic commerce transaction between an automatic teller machine (ATM) user and an electronic commerce merchant (para. 0008, 0121, and 0133; abstract; figs. 7-8; Antonin discloses customer service systems, electronic transactions, communications, access to data libraries and accounting systems, and many other functions have been implemented using Internet protocols) said method comprising the steps of:

a) receiving, at one or more servers remote from the ATM and remote from one or more electronic commerce merchant servers, ATM data comprising transaction data (para. 0006, 0010, 0013, 0032, 0034, 0036, and 0039; Antonin discloses transaction system may provide transaction processing and may access one or more remote transaction systems for fulfilling the transaction request in relation to ATM);

b) reformatting, at the one or more remote servers, said transaction data into a first format that enables the transaction data to be utilized by a server located on a communications network (para. 0006, 0040, 0046, 0053, 0094, 0114, and 0128);

c) transmitting, the reformatted transaction data to the one or more electronic commerce merchant servers from the one or more remote servers (para. 0040, 0050, 0055, 0064, 0114, and 0128; Antonin discloses the interface application may support one or more encryption standards for data transfer from the remote servers);

d) receiving, at the one or more remote servers from the electronic commerce merchant, merchant data wherein said merchant data is generated by the one or more electronic commerce merchant servers in response to the reformatted transaction data (para. 0047, 0053, 0057-0063, 0065, and 0123);

e) reformatting, at the one or more remote servers, said merchant data into a second format that enables the merchant data to be utilized by the ATM (para. 0053, 0094, 0114, and 0128); and

f) transmitting the reformatted merchant data to the ATM from the one or more remote servers (para 0064, 0114, 0123, and 0128.; Antonin discloses the step of transferring as corresponding to transmitting merchant data).

However, Antonin does not explicitly teach a global communications network. On the other hand, Shooks discloses a global communications network when he discloses a global computer network (para. 0002 and 0030). Shooks discloses cardholder system preferably is in communication with the Internet. He discloses the term Internet refers to the global network. Thus, it would have been obvious to one of ordinary skill in the art to enable a global communications network in an ATM system wherein customers are able to communicate with the Internet to transfer transaction internationally as discloses in Shooks.

Re claim 2, Antonin teaches ATM data further comprises account data associated with an account of said user, the transaction is associated with a transaction price, and the method further comprises the step of: g) verifying with a processing network that the account of the user authorizes the transaction; wherein, upon verifying that the account of the user authorizes the transaction, the transaction is settled by applying the transaction price to the account of the user (para. 0050-0064, and 0112). Antonin discloses transaction verification module allows the core application to verify that accounts.

Re claim 3, Antonin teaches step g) is performed by the electronic commerce merchant, the processing network is a credit card company, and the transaction is settled between the credit card company and the electronic commerce merchant (para. , 0058, 0060, 0064, 0086, and 0104).

Re claim 4, Antonin teaches step g) is performed by a facilitator of the transaction, the processing network is an entity that performs credit verification services, and the transaction is settled between the facilitator and the credit verification entity (para. 0013, 0036, 0040,

0050-0064, and 0112). Antonin provides backend processing for a variety of customer oriented services by credit verification services.

Re claim 5, Antonin teaches transaction is personal identification number (PIN)-based and associated with a transaction price, the ATM data further comprises PIN data corresponding to an account of said user, and the method further comprises the steps of: g) verifying the PIN data with a processing network; and h) verifying with the processing network that the account of the user authorizes the transaction; wherein, upon verifying the PIN data and that the account of the user authorizes the transaction, the transaction is settled by applying the transaction price to the account of the user (para. 0040, 0047-0049, 0058, 0060, 0064, 0086, and 0104).

Re claim 6, Antonin teaches steps g) and h) are performed by a facilitator of the transaction, the processing network is a financial institution, and the transaction is settled between the facilitator and the financial institution (para. 0003-0008, 0032, and 0035-0037; fig. 1). Antonin discloses access to a host financial system, such as that of the sponsoring bank or other financial institution.

Re claim 7, Antonin teaches first format comprises at least one of extensible markup language (XML) or wireless markup language (WML) (para. 0007, 0034, 0045, 0053, and 0055). Antonin discloses refinements in HTML, as well as extensible Markup Language (XML),

Re claim 8, Antonin teaches transaction data comprises an inquiry from the ATM user regarding one or more electronic commerce offers (para. 0003-0008 and 0039).

Re claim **9**, Antonin teaches transaction data comprises an order relating to one or more electronic commerce transactions (para. 0048, 0054, 0082, and 0134).

Re claim **10**, Antonin teaches merchant data comprises order confirmation data (para. 0134). Antonin discloses a number of order confirmation components.

Re claim **11**, Antonin teaches merchant data further comprises receipt information (para. 0003, 0050, 0065, and 0134). Antonin discloses a receipt printer.

Re claim **12**, Antonin teaches transaction data comprises location information and said merchant data comprises service information corresponding to the location (para. 0008 and 0041).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached during her flexitime schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
6/4/2007



ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER